

Respondent:

Growmark FS, LLC.
308 N.E. Front Street
Milford, DE 19963

Violations:

§ 1224 (a)(1) making a pesticide recommendation or use or application inconsistent with the labeling

Penalty:

The Respondent signed a consent agreement dated July 17, 2012 with disciplinary sanctions that imposed a civil penalty of \$1,750.00 and to abide by the Delaware Pesticide Law and the Delaware Pesticide Rules and Regulations.

Summary:

The Respondent was hired to apply an herbicide tank mix to a vegetable grower's field. One of the herbicide's label has special precautions for off-site movement of spray drift or vapors which can cause foliar whitening or yellowing of some plants. The product label requires prior to application, adjacent properties must be checked, and spraying within 300 feet of desirable plants must be avoided. The Respondent's commercial applicator sprayed within the 300 feet buffer zone and caused desirable plants to be damaged by the product's vapors or spray drift.